



CALIFORNIA FARM BUREAU FEDERATION

EXECUTIVE OFFICES

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October 15, 1999

Lester Snow, Executive Director
CALFED Bay/Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

The Honorable Bruce Babbitt
Secretary
U.S. Department of the Interior
1849 C Street NW
Washington, DC 20240-9997

The Honorable Mary Nichols
Secretary
The Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

**Re: Freedom of Information Act Request for:
Background Data on CALFED Funded Land Acquisitions,
Both "In-Fee" and Easements, from 1994 to Date**

Dear Secretaries Babbitt and Nichols and Director Snow,

CALFED has funded the acquisition of thousands of acres in furtherance of habitat conservation and preservation goals. Clearly, it is problematic that nearly a million more acres are proposed for acquisition when background information regarding the type of land acquired and any associated negative impacts, both direct and indirect, have yet to be addressed by CALFED.

We have asked CALFED informally, in both verbal and written communications, for background information regarding past and currently proposed land acquisition projects. To date, we have not received the information requested.

Because of this, we are formally requesting that you respond in detail to the following questions regarding previously funded land acquisitions (herein referring to both "in-fee" and easement acquisitions) that have been or will be acquired under the auspices of CALFED from 1994 to the present date. The following questions should be answered about each project that we have listed below, and about any land acquisition

project that CALFED has funded, in whole or in part, undertaken by either government or private entities that are not otherwise included in our list.

A. Please provide the location of each project.

1. In which county, or counties, is the project located?
2. What are the township, range, and section numbers or assessor's parcel numbers of each parcel acquired?
3. Which CALFED DEIS/EIR Ecosystem Restoration Program Plan region encompasses the project site(s)?

B. Please provide background information for each parcel acquired or proposed for acquisition.

1. What was the zoning designation of each parcel when acquired?
2. What is the current zoning designation of each parcel?
3. Were the parcel(s) in an agricultural preserve when acquired?
4. Are the parcel(s) currently in an agricultural preserve?
5. Are surrounding lands currently in an agricultural preserve?
6. Were any parcel(s) actively farmed before they were acquired?
7. Has title to any of the previously acquired parcel(s) been transferred and, if so, to whom was ownership transferred?

C. Please provide information regarding water rights.

1. Did the project applicant buy the water right when it acquired the parcel(s)?
2. What is the current water right held by the project applicant for each parcel acquired?
3. If the project applicant did not purchase the water right, what will happen to the water?
4. Where is each parcel's water allocation being used?
5. Where is the point of diversion for each associated water right?
6. Is groundwater a water source for the parcel(s)?
7. If groundwater is a water source for the parcel(s), what is the "hydrologic region" and the associated basin for each parcel acquired?

D. If the project involves an easement, or other cooperative program where there will be an on-going biological or ecological management program, please include the terms of the agreement.

1. What practices did the landowner agree to do on the land?
2. What activities will the project applicant be carrying out on the subject parcel(s)?
3. Does the landowner have to ask the project applicant's permission to change cultural practices, land management practices or crops?
4. What sort of monitoring program is in place?
5. If the landowner wants out of the agreement, what are the termination terms?

6. Does the agreement give the landowner "incidental take" protection from the state and/or federal endangered species acts?
- E. For each parcel acquired "in fee" that will be leased for agricultural purposes, please provide the terms of each lease agreement.
1. What practices did the lessee agree to do on the land?
 2. What activities will the project applicant be carrying out on the subject parcel(s).
 3. Does the lessee have to ask the project applicant's permission to change cultural practices, land management practices or crops?
 4. When does the lease terminate? Is it renewable and, if so, under what terms and conditions?
- F. Please indicate environmental compliance and mitigation measures undertaken as required under the National Environmental Policy Act, the California Environmental Quality Act and any other relevant legal authorizations for each project. Please provide copies of any document(s) that show this compliance and mitigation.

List of Projects

CALFED No.	Project Description	Applicant
99-RO1	Floodplain Easement; Lower Toulumne and San Joaquin	San Joaquin River
98-B13	Napa River Wetlands Acquisition	Napa County Land Trust
98F14	South Napa River Wetlands Acquisition and Restoration Project	Napa County Land Trust
98-F21	Lower San Joaquin River Floodplain Protection and Restoration Project	USFWS, San Luis National Wildlife Refuge
98-F13	Petaluma Marsh Expansion Project-Mann County	Marin Audubon society
96-M14	Clear Creek-Property Acquisition	Western Shasta RCD
98-F15	Lower Clear Creek Floodway Restoration Project	Western Shasta Resource Conservation District
98-E08	Cold Water Fisheries and Water Quality Element	City of San Jose-Environmental Services Department
97-B04	Acquisition and restoration of refuge lands (SJR NWR)	USFWS
97-B03	Liberty Island Acquisition	USFWS
96-M06	Cosumnes River Preserve (Valensin Ranch Acquisition)	Cosumnes River
98-F20	Deer and Mill Creek Acquisition and Enhancement	The Nature Conservancy
99-B12	Riparian Corridor Acquisition and Restoration	USBLM
99-F04	McCormack-Williamson Tract Acquisition	The Nature Conservancy

98-F12	Stone Lakes NWR Land Acquisition	USFWS
97-B05	Bear Creek Floodplain restoration demonstration project (SLNWR)	USFWS
98-F19	Cosumnes River Acquisition, Restoration Planning and Demonstration	The Nature Conservancy
98-F23	South Napa River Tidal Slough and Floodplain Restoration Project	City of American Canyon
98-F22	Biological Restoration and Monitoring in the Suisun Marsh/North San Francisco Bay Ecological Zone	CSU, Hayward
98-F16	Fern-Headreach Tidal Perennial Acquit and Shaded River Aquatic Conservation Project	Thomas Luckey (L & L Farms)
98-F10	Nelson Slough Wildlife Area Restoration Demonstration Project	DFG
98-F17	Benicia Waterfront Restoration	City of Benicia
98-B08	Cache Slough Habitat Enhancement	RD. No. 2060
98-F09	Rhode Island Floodplain Management and Habitat Restoration	DFG
98-F07	Grayson River Ranch Perpetual Easement and Restoration	East Stanislaus RCD and Friends of Tuolumne
98-F18	Floodplain acquisition, management and monitoring on the Sac. River	DFG
98-C05	Basso Bridge land acquisition	DFG
97-N04	Sac. River meander restoration	The Nature Conservancy
98-F03	Butte Creek acquisition and riparian restoration	CSU, Chico
98-C04	Merced River Ranch Acquisition and Restoration	DFG
97-N12	Franks Tract Restoration	Moffat and Nicol Engineers, DPR, DWR
97-N13	Tyler Island and levee protection and habitat restoration pilot project	Habitat Assessment and Restoration Team
97-N08	Lower Mill Creek riparian restoration	Mill Creek Conservancy, The Nature Conservancy
98-B17	Cosumnes Floodplain acquisition and restoration	The Nature Conservancy
97-N18	Cullinan Ranch Restoration	Ducks Unlimited
97-N10	Jepson Prairie restoration and conservation plan	Solano County Farmlands, Open Space Foundation
97-N19	Tolay Creek restoration	Ducks Unlimited
97-NO3A	Sacramento River acquisition and riparian forest restoration	USFWS, The Nature Conservancy
97-N06	Butte Creek acquisition and riparian restoration	CSU, Chico

97-N16	Bay Point Shoreline Restoration Plan	East Bay Regional Park District
98-F04	Lower Mill Creek riparian restoration	Mill Creek Conservancy, The Nature Conservancy

Again, just as a reminder, according to the Freedom of Information Act (FOIA), you are required to release all *reasonably segregable portions* of the information which are not themselves exempt. (5 U.S.C., Sec. 522(b).)

We completed a fee waiver and faxed it to Olene Chard on October 12, 1999. If there are any fees that are not covered by our waiver, we ask that you provide us with an estimate of those amounts in advance.

Secretary Babbitt should feel free to forward this FOIA request to the U.S. Bureau of Reclamation, U.S. Fish and Wildlife Service or other appropriate agencies with field offices subject to the Interior Department's jurisdiction.

Although we are aware of our administrative appeal rights under 5 U.S.C., Sec. 522(a)(6)(A)(i) of the FOIA, we are confident that an appeal will be unnecessary as we look forward to your cooperation in this important inquiry. We eagerly await your response within the statutorily imposed time limit of 20 working days.

Sincerely,



Bill Pauli
President

BP:bs

cc: The Honorable John Doolittle
The Honorable Doug Ose
The Honorable George Radonovich
The Honorable Gary Condit
The Honorable Calvin Dooley
The Honorable William Thomas
Senator Dianne Feinstein